

# BARSHAY|SANDERS<sub>PLLC</sub>

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February 29, 2016

**Via ECF Only**

Hon. A. Kathleen Tomlinson  
U. S. District Court, Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

Re:     *Willie Guerrero, et al., v. GC Services Limited Partnership*  
Docket No: 2:15-cv-06103-DRH-AKT

Dear Judge Tomlinson:

This office represents Plaintiff concerning the above referenced matter. Kindly allow this as a response to Defendant's letter request to appear telephonically for the initial conference on March 9, 2016.

As Defendant is well aware, this case is not limited to \$1,000. This is a proposed class action for which Plaintiff will be seeking certification at the conclusion of class discovery. Additionally, while Plaintiff does not object to Defendant's request to appear telephonically, Plaintiff has been attempting since February 11, 2016, to meet and confer with Defendant and submit a proposed scheduling order for the initial conference. Defendant has yet to respond. As such, to the extent that the Court grants Defendant's request, it is respectfully requested that the Court Order Defendant to respond to Plaintiff's proposed scheduling order.

Very truly yours,

/s David M. Barshay  
David M. Barshay

cc: All parties via ECF system